

UNITED STATES DISTRICT COURT
DISTRICT OF MASSACHUSETTS

DAVID ALLEN BLANKENSHIP,)
Plaintiff,)
v.) Civil Action No.
TOWN OF NORTH BROOKFIELD, et al.,) 22-40071-NMG
Defendants.)

)

ORDER

GORTON, J.

On August 11, 2022, the pro se plaintiff's application to proceed in district court without prepaying fees or costs was denied and this case was dismissed without prejudice pursuant to Fed. R. Civ. P. 41(b). See Docket No. 9. The Court's order granted plaintiff 14 days to move to reopen by either paying the filing fee or filing a renewed application accompanied by a motion to reopen. Id.

Now before the Court is plaintiff's motion to reinstate case. See Docket No. 11. The Court records indicate that plaintiff paid the \$402 filing fee.

Accordingly, it is hereby Ordered that:

1. Plaintiff's Motion to Reinstate Case on Docket is ALLOWED.
2. The Clerk shall reopen this action and issue summonses.

3. Plaintiff is responsible for arranging service of the summons and complaint on each defendant in accordance with Fed. R. Civ. P. 4 and Local Rule 4.1. Rule 4 states that "[a] summons must be served with a copy of the complaint" by "[a]ny person who is at least 18 years old and not a party[.]" Fed. R. Civ. P. 4(c). Rule 4(d) provides an alternative to serving the defendant with the summons and complaint by offering defendants the option to waive service of the summons.
4. Plaintiff shall have 90 days from the date summonses issue to serve the defendants. Failure to timely serve a defendant will subject this action to dismissal against that defendant without prejudice. See Fed. R. Civ. P. 4(m).

So ordered.


Nathaniel M. Gorton
United States District Judge

Dated: October 21, 2022